



Winston H. Hickox  
Secretary for  
Environmental  
Protection

## Department of Toxic Substances Control

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Edwin F. Lowry, Director  
700 Heinz Ave, Suite 200  
Berkeley, California 94710



Gray Davis  
Governor

### **NOTICE OF FINAL PERMIT DECISION**

for

**HAZARDOUS WASTE FACILITY PERMIT  
BOILER AND INDUSTRIAL FURNACE  
DOW CHEMICAL COMPANY, PITTSBURG  
901 LOVERIDGE ROAD  
PITTSBURG, CALIFORNIA  
EPA ID No. CAD 076528678  
Decision Date: March 21, 2003**

#### **TO WHOM IT MAY CONCERN:**

In accordance with the California Health and Safety Code, Division 20, Chapter 6.5, and the California Code of Regulations, title 22, section 66271.14, the Department of Toxic Substances Control (DTSC) has made a final decision to approve the hazardous waste facility boiler and industrial furnace permit for the Dow Chemical Company, Pittsburg, California.

DTSC held a public comment period initially from October 26, 2001 to December 14, 2001 on the draft Boiler and Industrial Furnace (BIF) Permit and draft CEQA Initial Study and Negative Declaration. A public hearing was held on November 28, 2001. In response to public request, DTSC held a second public comment period from September 20, 2002 through November 8, 2002. A display advertisement was placed in Contra Costa Times. Copies of the notice and fact sheet were mailed to the facility mailing list (1166 persons). DTSC held a second public workshop and public hearing on the draft BIF Permit and CEQA Initial Study and Negative Declaration on October 24, 2002. A Spanish interpreter provided by DTSC was available during public workshop and public hearing. DTSC received oral and written comments during the public comment period including the public hearing. DTSC has considered all comments carefully and have prepared a Response to Comments (RTC) document.

The Final Permit Decision becomes effective on April 28, 2002 unless a review is requested pursuant to Title 22, California Code of Regulations, Section 66271.18. The Permit shall be in effect for a period of ten years.

#### **Changes from the Draft to the Final Permit:**

The Draft Permit and Negative Declaration were finalized without any changes or modifications.

**Availability of Documents:**

Final documents pertaining to this project including DTSC's Response to Comments and the Final Permit are available for review by the public at the following location:

Pittsburg Public Library  
65 Civic Avenue  
Pittsburg, California 94565

DTSC File Room, 700 Heinz Avenue  
Berkeley, CA 94710  
(510) 540-3800  
<http://www.dtsc.ca.gov>

This decision may be appealed in accordance with California Code of Regulations, title 22, section 66271.18. Any person who filed comments on the draft permit during the comment period may petition DTSC to review any condition of the permit decision. Persons who did not file comments on these documents may petition for administrative review only on changes that were made from the draft to the final permit. The petition shall include a statement of the reasons supporting the review, including a demonstration that any issues being raised were raised during the public comment period (including any public hearing) to the extent required by the regulations and when appropriate, a showing that the condition in question is based on: 1) a finding of fact or conclusion of law which is clearly erroneous, or 2) an exercise of discretion or an important policy consideration which DTSC should, in its discretion, review. Petitions must be submitted by April 23, 2003. Petitions must be sent to:

Watson Gin, Deputy Director  
Hazardous Waste Management Program  
Department of Toxic Substances Control  
P.O. Box 806  
Sacramento, California 95812-0806

A copy of the petition should also be sent to:

Mohinder S. Sandhu, P.E., Chief  
Standardized Permits and Corrective Action Branch  
Department of Toxic Substances Control  
700 Heinz Avenue, Suite 200  
Berkeley, CA 94710

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Pittsburg, California  
March 19, 2003  
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Please bring this notice to the attention of all persons who might be interested in this matter. If you have any questions regarding this matter, please contact Waqar Ahmad at (510) 540-3932 or [wahmad@dtsc.ca.gov](mailto:wahmad@dtsc.ca.gov)

                    /signed by/                      
Mohinder S. Sandhu, P.E., Chief  
Standardized Permits and Corrective Action Branch

Date: 3-19-2003